

annexed on behalf of the Complainants ~ First Sub: Do you or not know the parties to this suit? If  
 you, how long have you known them and each of them? Second Sub: Do you or not know the real  
 estate specified and described in the Bill in this case, and in Exhibits Nos. 1 and 2 thereto. ~  
 Third Sub: Were you or not acquainted with Samuel Griffiths and Rachel Griffiths? If you,  
 are they living or dead, and when did they die? Fourth Sub: Will or will not said real estate admit of ad-  
 vantageous partition between Mary Eleanor Plummer and Anna Mary Griffiths in the proportions of  
 five ninths to the one and four ninths to the other? State your reasons for your opinion. Fifth Sub  
 Were you or not acquainted with Charles A. Griffiths and Mordecai J. Griffiths? If you, are  
 they living or dead, and did they die testate or intestate, and if either of them died intestate, who  
 did the said intestate leave his heirs at law? are said heirs at law living or dead? If either is  
 dead, did the one as dying, die intestate or testate, & if intestate, who did he or she leave as heir or  
 his only heir at law? How old was the one dying at the time of his death? How old is the sur-  
 vivor? State if you know, whether they are or were adults or married. ~

Grayson C. Schelberger  
 Solr. for Complainants

Testimony

All the execution of the annexed Commission issued out of the Circuit Court, for Frederick County  
 and to me directed and empowering me to examine evidences in the cause depending in the said  
 Court between Samuel W. Plummer and others, as Complainants, and Lydia Griffiths and others  
 as Defendants, I William B. Nelson, Commissioner therein named, did on the 8<sup>th</sup> day of March  
 A.D. 1867, at the office of Grayson C. Schelberger Esquire, proceed to take the following depositions  
 to wit: ~ Joseph Wood, a witness of lawful age, produced on the part of the Complainants,  
 being duly sworn and examined to interrogatories filed with the Commissioner by the Complainants  
 and herewith returned, deposes and says, To the 1<sup>st</sup> Sub: That he knows all of the parties to  
 this suit, and has known them all for some years. ~ To the 2<sup>nd</sup> Sub: That he knows the real  
 estate described in the Bill of Complaint and Exhibits 1 and 2 ~ To the 3<sup>rd</sup> Sub: That he was ac-  
 quainted with Samuel Griffiths and Rachel Griffiths and that they have both been dead for some  
 years. ~ To the 4<sup>th</sup> Sub: That said real estate will admit of such partition between Mary E.  
 Plummer and Anna Mary Griffiths, in the proportions of five ninths to the one and four ninths  
 to the other; that the land is nearly square, and the woodland all at one side of the land  
 that there are about three hundred and sixty acres in the tract, and there are two sets of  
 buildings on the land and said land can be divided into two farms by running one line  
 giving a good farm to each one. ~ To the 5<sup>th</sup> Sub: That he was acquainted with Charles  
 A. Griffiths & Mordecai J. Griffiths; that they are both dead; that Charles A. died testate,  
 and Mordecai J. intestate; that Mordecai J. left the following children, namely;  
 Anna Mary and Birow H.; that Anna Mary is living, and that Birow H. is dead;  
 that Birow H. died intestate, aged five or six years, leaving Anna Mary his  
 heir at law, that said Anna Mary is an infant aged about twelve years, and  
 resides in Frederick County Maryland. ~ Samuel W. Plummer, a witness  
 of lawful age, produced on the part of the Complainants, being duly sworn and  
 examined to interrogatories filed with the Commissioner, by the Complainants and  
 herewith returned, deposes and says, To the 1<sup>st</sup> Sub: That he knows all the parties to  
 this suit and has known them all for some years. ~ To the 2<sup>nd</sup> Sub: That he knows the  
 lands described in Bill and Exhibits Nos. 1 & 2. ~ To the 3<sup>rd</sup> Sub: That he was acquainted  
 with Rachel Griffiths, but did not know Samuel Griffiths; that they both died some years  
 ago. ~ To the 4<sup>th</sup> Sub: That said real estate will admit of such partition between Mary  
 E. Plummer and Anna Mary Griffiths, in the proportions of five Ninths to the one and four  
 ninths to the other; that said land is nearly square, and the wood land all on one side;  
 that the tract contains about three hundred and sixty acres, and two sets of houses  
 and buildings, and that the land can be divided into two equal farms by running  
 one line, giving a good farm to each one. ~ To the 5<sup>th</sup> Sub: That he was acquainted

to law to  
 answer  
 by well  
 true, all  
 as this  
 try have  
 in  
 aunts  
 .  
 was a  
 11<sup>th</sup> 1867  
 .  
 aunts  
 Big of  
 to examine  
 between  
 are there  
 annexed  
 now, that  
 all such  
 endants;  
 the Holy  
 may relate  
 of the  
 under your  
 is, the  
 1867  
 clerk  
 without  
 and every  
 annexed,  
 closed, be  
 cause,  
 produced  
 far from  
 transcribe  
 sitting  
 to be ex-